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Logging Industry Loses Latest Attack on Threatened Seabird

Marbled murrelets, a unique coastal bird, and their old-growth forest habitat will remain protected

Washington, DC—A federal district court today maintained conservation protections for rare marbled murrelets, a unique coastal bird in the Pacific Northwest. The court rejected the remaining claims in a timber industry lawsuit that sought to expand logging of the seabird's old-growth forest nesting habitat. The lawsuit was the timber industry's fourth attempt in the past decade to eliminate protections for the old-growth forests that marbled murrelets call home, despite undisputed scientific evidence that murrelets are continuing to disappear from the coasts of Washington, Oregon, and California.

"It is time for logging interests to move on. Science, law, and public opinion do not support their demand to log the old-growth forests that marbled murrelets call home," said Kristen Boyles, staff attorney with Earthjustice.

The marbled murrelet is a shy, robin-sized seabird that feeds at sea but nests only in old-growth forests along the Pacific Coast. Murrelets don't build nests, instead laying their single egg on natural, moss-covered platforms where large branches join the tree trunks of old growth Douglas fir, sitka spruce, western hemlock, and redwood trees. In 1992, the U.S. Fish and Wildlife Service protected marbled murrelets in Washington, Oregon, and California as a threatened species due to logging of coastal old-growth forests. The timber industry has repeatedly set its sights on the small seabird in order to increase logging of some of the last remaining mature and old-growth forests.

"Today's decision ends a dark chapter in the effort to ensure the survival of the highly endangered marbled murrelet," said Noah Greenwald, endangered species director at the Center for Biological Diversity. "Now we can move forward with recovering these unique seabirds."

The district court rejected logging industry claims that murrelets in central California could not be considered part of the protected population. The court also refused to eliminate murrelet critical habitat protections during a three-year period when the U.S. Fish and Wildlife Service will re-examine its 1996 critical habitat designation.

“The marbled murrelet is most endangered at the southern extent of its range,” said Gary Graham Hughes, executive director of the Environmental Protection Information Center. “The court’s decision keeps the murrelet protected down here in the redwood temperate rainforest.”

“There is strong scientific consensus that without old-growth forest protection, murrelets will disappear from our coast,” added Dave Wertz, science and conservation director with Conservation Northwest.

“It’s time to stop fighting over who will get to log the last of our old-growth, and focus on science-based management of our forests that improves habitat for wildlife, protects clean water, and safeguards the scenic beauty, outdoor recreation, and quality of life that drives Oregon’s modern economy,” said Steve Pedery, Conservation Director for Oregon Wild.

Represented by Earthjustice, Audubon Society of Portland, Seattle Audubon Society, Center for Biological Diversity, Conservation Northwest, Environmental Protection Information Center, Oregon Wild, and Sierra Club intervened in the lawsuit to defend the murrelet listing and critical habitat.

More information about the murrelet and its habitat, including audio recordings, can be found at http://www.allaboutbirds.org/guide/Marbled_Murrelet/sounds.